

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

| | | |
|--------------------------|---|-----------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | 19-cr-10063-DJC |
| |) | |
| RANDALL CRATER, |) | |
| |) | |
| Defendant |) | |

DEFENDANT RANDALL CRATER'S MOTION *IN LIMINE*
TO PRECLUDE THE TESTIMONY OF PAMELA A. CLEGG
OR, IN THE ALTERNATIVE, FOR A DAUBERT HEARING

Defendant Randall Crater, by and through undersigned counsel, hereby moves this Honorable Court for an order *in limine* precluding the testimony of Pamela A. Clegg and the admission of her report into evidence or, in the alternative, defendant requests the Court to hold a Daubert hearing in advance of her proposed testimony for the reasons set forth in the Memorandum of Law submitted herewith.

WHEREFORE, defendant respectfully requests this Honorable Court to grant this motion and preclude Ms. Clegg's testimony and written report or, in the alternative, grant defendant's request for a Daubert hearing in advance of her proposed testimony.

REQUEST FOR ORAL ARGUMENT

Defendant believes that oral argument will assist the Court and requests a hearing on this motion pursuant to Local Rule 7.1 (D).

Respectfully submitted,
For the Defendant,
Randall Crater
By his attorneys:

/s/ Scott P. Lopez

Scott P. Lopez, BBO # 549556
splopez@lawson-weitzen.com
LAWSON & WEITZEN, LLP
88 Black Falcon Ave, Suite 345
Boston, MA 02210
617-439-4990 (tel.)
617-439-3987 (fax)

Dated: June 9, 2022

CERTIFICATE PURSUANT TO LOCAL RULE 7.1

The undersigned counsel for Randall Crater hereby certifies that he attempted to confer with AUSA Christopher J. Markham on June 9, 2022, by telephone, in a good faith attempt to resolve or narrow the issue raised in this motion.

/s/ Scott P. Lopez

Scott P. Lopez

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on June 9, 2022.

/s/ Scott P. Lopez
Scott P. Lopez